

CHARGE OF MURDER

Coroner's Jury Examine Into Thursday Tragedy.

CAPTAIN FOREST IS SILENT

Testimony Given by Eye-Witnesses—Sailors of Annie Larsen and Long-shoremen Now Loading Her—Defendant Now in Jail.

A coroner's jury was empaneled yesterday afternoon to inquire into the matter of the shooting of the sailor, George Fisher, on the Astoria Box Company's dock, on Thursday, by Captain G. M. Forest, of the schooner Annie Larsen. The following gentlemen served in this behalf: Robert Carruthers, L. E. Selig, William McCroskey, William Shaw, F. W. Gardiner and William Dench, and they were sworn on the duties of the hour, by Coroner W. C. A. Pohl, at 1:50 o'clock, at his office at the corner of Eleventh and Duane streets; there being present at the time Sheriff M. R. Pomeroy, Chief of Police Charles Gammal, Dr. J. A. Fulton, the examining surgeon; the defendant, Captain G. M. Forest, and his counsel, G. C. Fulton, and a number of witnesses to the tragedy.

The jury went into the morgue of the establishment, where the body of the dead sailor lay and its wounds were duly examined under the supervision of Dr. Fulton and then returned to the office, where the investigation proceeded in due course, Nelo Johnson doing the stenographic work for the coroner.

The first witness summoned was Dr. J. A. Fulton, to whom the wounded man was turned over after being shot. Dr. Fulton said, in substance:

"I was called at about 2 o'clock yesterday afternoon to the scene of the shooting; the dock of the Astoria Box Company; saw the wounded man and ordered him taken at once to the hospital; there I made a cursory examination of the wound; it was a gun-shot wound; (here the doctor gave a detailed description of the wound, its nature, course of the bullet, etc.); the man died at 10:45 o'clock last night; the wound referred to was the cause of his death; I performed an operation, and found that the bullet had pierced the right hip bone, and traversed the abdominal section entirely; it was taken out on the left side just above the crest of the left hip bone; it passed through several coils of the intestines; it severed one or more of them, one almost entirely; and the abdomen was practically full of blood; the victim was not at any time fully conscious; he made no statement as to the controversy with the captain, nor of what had occurred; his body showed no other signs of violence, save a burned lip, as from the live ash of a cigar."

First Mate Martin Peterson, of the schooner Annie Larsen, was then put on the stand, and testified, practically, as follows:

"My business is that of a sailor; I hold the position of mate of the schooner Annie Larsen; the dead man came on board the day before we left San Francisco; he called himself George Fisher; he was a sailor; do not know his age; he claimed to be a Belgian; do not know whether he was married or single; do not know anything of the trouble between him and the captain; was in the hold of the vessel, stowing lumber; did not know of the difficulty till I saw the man lying on the dock; we had no trouble

with Fisher at sea; yes, I know the captain; Captain Charles M. Forest; had no trouble with Fisher while here; until Wednesday night, when he reported himself sick; I notified the captain that there was a man sick in the fore-cabin; and at noon yesterday I saw Fisher on the dock in a boozed condition; at 1 o'clock I went back to work in the hold; while there I was told, later, that a man had been shot, on the dock, and went up to see about it; I do not know whether Fisher was sick, or not."

The next witness summoned, was Peter Penfrat, a longshoreman, of this city, whose home is at No. 435 Tenth street. He made the following statement in relation to the shooting: "I am a longshoreman; was working yesterday afternoon on the wharf of the Astoria Box Company, loading lumber on the schooner Annie Larsen; I saw Fisher there yesterday; in the forenoon and in the afternoon; he was not working; I saw Captain Forest there; saw no trouble between him and the captain; I knew he was in the cabin with the captain; later, the captain was standing on the neck, close to the main hatch, saw the captain shove his fist in the man's face, or neck; the man struck him back; the man then turned and climbed on the dock; the captain went below; he came back, and climbed into the main rigging, between the first and second shrouds, and fired his revolver at Fisher; the captain was not in any danger from the man when he shot him; Fisher fell on the dock, crying out, 'murder,' 'murder,' and for the doctor; some by-stander telephoned for a doctor; Fisher made no demonstration to the captain, no bluff to do anything; if he had had anything in his hand I could have seen it; he had nothing."

C. Cooper, another longshoreman, was then placed on the stand, and gave the following testimony in this relation: "I am a longshoreman, and live in Astoria; on the upper side of the ball grounds, between Seventh and Eighth streets; I worked yesterday at the Astoria Box Company's dock, stowing lumber on the schooner Annie Larsen; I saw the dead man before and after dinner; saw Captain Forest then, too; saw both when the row came on; saw the captain speak to Fisher; then he hauled off and struck him; Fisher struck back at the captain; the captain then ran down into the cabin; he returned with a revolver; he climbed into the main rigging and shot at Fisher; Fisher fell on the dock; he cried out, 'I am shot, murder; my poor old Mother; he had nothing in his hand; I heard no threats from him; I don't know that either of the men were intoxicated; only one shot was fired.'"

Jacob Petersen, another longshoreman, was then called, and gave testimony, as follows: "I am a longshoreman; I live near the Scandinavian Cannery in this city; was moving lumber aboard the schooner Annie Larsen yesterday afternoon; I saw Fisher there yesterday; saw Captain Forest also; saw Fisher come forward and speak to the captain; he said to the captain, 'I will show you the man that is coming to work in my place'; the captain hit him in the mouth and the man struck back; the man then climbed up on the dock; the captain went below and got a revolver and returned on deck; he then shot Fisher; Fisher fell on the dock; the captain was on the half-deck, aft, when he shot; don't know whether they were sober or not."

Marius Littre, a sailor on the Annie Larsen, then took the stand and testified as follows: "I am a native of Marseilles, France; was aboard the Annie Larsen yesterday afternoon; yes, I saw the dead man; I knew him; he was a sailor on the Annie Larsen; knew him only for the voyage from San Francisco here; I know Captain Forest; I saw the trouble be-

tween him and the man Fisher; the man claimed to be sick, and asked to be paid off; the captain told him to go to work; the man left the ship; he returned on board about noon; I saw him first about 2:30 o'clock in the morning; he brought a stranger down with him to the ship, and asked if the 'old man' was aboard; he was told 'no'; he was sick; he had hurt his shoulder by a fall on shore the night before; saw him speak to the captain; the captain hit him; he hit the captain back; the captain went to the cabin; the man he go on the dock; captain come back on deck; he said no word; climbed in rigging and shot at man; the man fell; the boys got a blanket and put wounded man in it and in a wagon; I went back to my work."

Chief of Police Charles Gammal was then sworn in the matter and gave the following account of his connection with the case: "Was notified by the sheriff's office yesterday afternoon that there was trouble at the Astoria Box Company's mill dock, that a man had been shot, and was asked to go there at once, as Chief Deputy Allen Anderson was alone in the sheriff's office and could not leave at the moment; I went there immediately; there was no trouble on, when I got there; we met Dr. Fulton coming from the dock; he said a man had been shot, and that he had ordered him taken to the hospital; I went on board the schooner Annie Larsen; Mr. W. F. McGregor introduced us to the captain, C. M. Forest, who was there in his cabin. I asked the captain for his gun, and he gave it to me, (here the chief displayed and identified the weapon); I examined it; it was fully loaded, with the exception of one chamber; I asked the captain to come to the office of District Attorney Harrison Allen; did not arrest him then; he came with me; he acknowledged shooting the man Fisher; said he did not mean to shoot him and did not know the gun was loaded; he only meant to scare him; I have the bullet; here it is; (here the chief displayed the bullet, which had been given him by Dr. Fulton, after the autopsy); we spent some time at the district attorney's office; not knowing what condition the man was in, we let the captain go back to his vessel; but arrested him later, after 11 o'clock; I then swore an information for murder, after the death of Fisher had been announced, and the warrant was issued; he has been in my custody ever since; Deputy Sheriff Anderson visited the vessel and was with me at the district attorney's office."

At this juncture the coroner called upon Captain Forest to make any statement he desired to make in the premise, but on the advice of Attorney G. C. Fulton, who was employed as his counsel, he declined to make any statement whatever.

The room was cleared of all spectators and others, and the jury elected William Shaw, as foreman, and proceeded to deliberate on their verdict. In twenty minutes they had reached a conclusion which was formally couched in the following terms:

"Astoria, Ore., Dec. 14, 1906.

"We, the undersigned, jurors sworn to inquire of the cause of the death of George Fisher, on oath do find:

"That said Geo. Fisher came to his death at Astoria, Clatsop county, Ore., on December 13, 1906, and that his death was caused from a gun-shot wound in the hands of C. M. Forest, and that said shooting was contrary to the laws of the State of Oregon, and that said C. M. Forest is guilty of the crime of murder.

(Signed.) "W. C. SHAW, Foreman.

"L. E. SELIG,

"WILLIAM DENCH,

"W. L. McCROSKEY,

"F. W. GARDINER,

"R. CARRUTHERS."

After the rendering of the verdict, the custody of Captain Forest was taken over by Sheriff M. R. Pomeroy, and he was placed in the county jail.

During the long and harrowing details of the coroner's investigation, Captain Forest was calm and collected, deeply interested, and though over-wrought by the nature of the testimony and the proceedings, was dignified and completely master of himself. The examination was conducted with the utmost decorum and all present were impressed with the severe character of the strain to which the master of the Annie Larsen was subjected in the face of such an avalanche of adverse testimony, and this without the chance to interpose a word of defensive proof, of which it is said, there is an abundance to be used at the proper time.

Mr. Fulton informed a reporter of the Astorian last evening that all necessary steps would be taken in due course in behalf of his client that the defendant was entitled to the benefit of a preliminary hearing, and this would transpire in a few days, and, that if the same grave charge was held there, the matter would be taken before Judge McBride at his next

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Date December 14th, 1906 By **E. H. S.**

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visit to this district, probably on the 27th instant. He said that nothing would be left undone to serve the interests and freedom of Captain Forest, and that if bail was practicable, there was an abundance of the best money in the northwest ready for the bond. Just when, and just what, further steps are to be taken, were not ascertainable last night, but it is certain that no delay will be countenanced in the matter, from either side.

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J. Pedersen, longshoreman, living at 413 Commercial street, Astoria, Oregon, says: "For twenty years I was afflicted in one way or another with kidney trouble, suffered a great deal of pain and in the small of the back and was continually tired and nervous. I had occasional headaches and also a blurring of the eyesight. Every time I took cold it settled in the kidneys and added to my troubles, the secretions at such times being irregular and containing sediment. My rest was much disturbed at night on this account. I began taking Doan's Kidney Pills, procured at Charles Rodger's drug store, and found unexpected relief, for which I am very thankful."

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B. Spiegel, 1204, N. Virginia St., Evansville, Ind., writes: "For over five years I was troubled with kidney and bladder affections which caused me much trouble and worry. I lost flesh and was all run down, and a year ago had to abandon work entirely. I had three of the best physicians who did me no good and I was practically given up to die. Foley's Kidney Cure was recommended, and the first bottle gave me great relief, and after taking the second bottle, I was entirely cured." T. F. Laurin.

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